

Approved
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**Endangered and Nongame Species Advisory Committee
Meeting Minutes
November 15, 2017
Assunpink Conservation Center**

Members in attendance: Rick Lathrop (Chair), Jim Applegate, Joanna Burger, Erica Miller, Jim Shissias, Jane Morton-Galetto, Emile DeVito

Absent: Howard Reinert, Howard Geduldig, David Mizrahi, Barbara Brummer

Staff in attendance: Dave Jenkins (Chief, ENSP), Bill Pitts.

Guests: none

Meeting was called to order by Chair Rick Lathrop at 10:10 AM. The public notice for this meeting was read by D. Jenkins.

Approval of Minutes

D. Jenkins reported that the minutes from the ENSAC session of the joint meeting with Fish and Game Council meeting were not ready, nor were minutes from the afternoon joint session.

Action Items Update

D. Jenkins had briefed the Committee regarding ongoing work to update exotic species regulations at the October meeting and indicated that he would ask someone to present at an ENSAC meeting. No one was available for today's meeting. D Jenkins will provide a bit more information during regular agenda today and arrange for a presentation at the January meeting.

Report from Nominating Committee:

D. Jenkins updated on status of previous nominations noting that a chart handed out at an earlier meeting was incorrect as it did not recognize that previous recommendations to the Commissioner included both 2014 and 2015 expirations. He reviewed the expiration of terms and the Committee's previous recommendations as follows:

For terms expiring April, 2014, reappoint David Mizrahi (NGO) and Joanna Burger (Academic/Research); for term expiring April, 2015, reappoint Jane Morton Galetto (NGO) and Jim Applegate (Academic/Research) and appoint Russ Funari to replace Jim Shissias (Public at Large).

D. Jenkins noted that the Committee had tabled voting on their recommendations for the terms that expired in 2016 because they were waiting on action re. the 2014 and 2015 expirations before making such recommendations. No action had yet been taken by the Committee regarding the 2017 expirations.

Jim Shissias, reporting for the nominating committee, put forward a recommendation to re-affirm the recommendations regarding the 2014 and 2015 expirations and further recommended that all members with terms expired in 2016 and 2017 be reappointed as follows: For terms expiring in April 2016, reappoint Emile DeVito (Public at Large), Howard Geduldig (Public at Large), and Barbara Brummer (NGO); for terms expiring in April, 2017, reappoint Richard Lathrop (Academic/Research), Erica Miller (Veterinary/Public Health)

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Jim Shissias made the motion to recommend reappointment of all member whose terms expired in 2016 and 2017 and to reaffirm recommendations already put forward for terms expired in 2014 and 2015. Seconded by Joanna Burger. Motion carried unanimously.

D. Jenkins noted that he had learned that the recommended reappointment of Emile DeVito to the public-at-large seat was unlikely to be accepted and asked for the Committee's thoughts on appointing an environmental consultant to that position. Dave specifically asked about Amy Greene who is the CEO of Amy S. Greene Environmental Consultants, Inc. Discussion followed and the Committee was very supportive of the concept of having a someone who works in the consulting field and, in particular, Amy Greene, join ENSAC. Discussion included the idea of amending the regulations to increase membership and identifying an additional seat as a "consultant seat." There was not support for reconsideration of the nominating committee's recommendations. A discussion about the need to revisit Committee bylaws ensued and D. Jenkins suggested reconvening a bylaws committee.

J. Burger moved to reconvene the bylaws committee, J. Applegate seconded. J. Burger, H. Geduldig (absent) and E. Miller were appointed to the bylaws committee. Motion carried.

Update on the Aquaculture Stakeholder Committee

ENSAC members of who represent ENSAC on the Aquaculture Stakeholder committee and D. Jenkins reported on the 11/1 meeting of the Aquaculture Agency Work Group and the Aquaculture Stakeholder Committee. All report that the meeting was positive and helped to build trust. The main issue of discussion was expanding the tending period for people using boats from 4 hours to 6 hours.

Update on Amendments to Nongame and Exotics Permitting rules:

D. Jenkins provided a brief review of proposed changes to the rules that regulate permits for collecting and holding nongame and exotic wildlife and took questions from the Committee. The following summarizes the questions and suggestions from ENSAC members:

- Can application process be made simpler for renewals of ongoing/continuing work that has already been reviewed?
- Can one permit to cover all collection activities undertaken by an individual (permittee) in a year or must it be project-by-project?
- Can permits be made valid for a longer period (e.g., 2-3 years) with renewal fee annually?
- Can permit period be based on issuance date rather than calendar year?
- What is the permit amendment process (i.e., to add species, locations, sub-permittees, etc.)?
- How are sub-permittees included?
- Consider waiver of permit fees for work supported by or important to ENSP, especially for NGOs, but also for colleges and universities when work is not grant supported.
- Will holding a threatened or endangered species require both a holding and an endangered / threatened species permit?
- In the context of a scientific collecting permit, what is considered "temporary" holding, i.e., at what point will a "holding" permit also be required?
- Provide more information on which species are considered "dangerous indigenous" and the permit requirements pertaining to these species (e.g., timber rattlesnake)
- List of species does not seem to include any invertebrates, yet there are invertebrate species on both the E lists (soon to be E&T lists) and the nongame lists (T and SC). Are scientific collecting

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permits required for endangered and threatened invertebrate species and invertebrate species appearing on the nongame list?

D. Jenkins indicated he would take these questions back to the DFW staff working on these rule amendments and arrange for someone to attend the January meeting.

ENSP Project Update

Bill Pitts, Sr. Zoologist, gave the Committee a presentation on the American Kestrel project which he leads. Bill discussed the nest box, banding and geolocator work, including cooperative work with the Natural Lands Trust. The following summarizes the work covered in the presentation:

- Potential causes hypothesized for decades-long decline in population, both in NJ and range wide
 - Herbicide, pesticide, rodenticide and overall change in agricultural practices in the past 50 years
 - Fragmentation of habitat
 - Loss of suitable nesting locations and increased competition from native and introduced species
 - Other issues including West Nile virus, injury or death from landfill methane flairs, and combinations of all of the above.
- Results from 2004 statewide spring survey; only 9 routes out of 100 had kestrel observations
- GIS habitat mapping and loss of suitable kestrel habitat from 1986- 2007; over that 21-year period over 75,000 ha of potential kestrel habitat was lost. There has been discussion among ENSP staff about comparing this model to the Habitat Change Analysis model created Dr. Hasse at Rowan University.
- Partnership with Dr. Smallwood from Montclair University, creation of ENSP nest box routes based off Smallwood's work, and testing of habitat patch size model; over the past 12 years an average of 72% of all active boxes have been in habitat patches >250 ha
- Discussion of nest box success rates and banding data.
 - Box success has stabilized between 60% - 70% over the past six years
 - Despite a reduction of monitored boxes from a high of 259 in 2008 to only 132 in 2017, nesting attempts have averaged around 41.6/ season over those 9 years with 4 of those years having greater than 50 attempts
 - Over 100 fledglings have been banded annually for the past six years
 - Despite overall consistency, BBS data still shows a decline in NJ up to 2015
- Four years of geolocator data suggest that the NJ population of American kestrels are only partially migratory, and weather does not appear to be a major indicator of whether or not individuals choose to migrate
- NJ has participated in The Bird Genoscape Project for the past two field seasons; the project is an effort to map the population-specific migratory flyways of 100 migratory birds.

State Wildlife Action Plan revision

D. Jenkins reported that permission to post for public comment had been received and that plan would be available for public review in early Dec.

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Adjournment

Motion to adjourn by J. Burger, seconded by Jim Shissias. Meeting adjourned at approximately 2:30 PM.